

**Town of Manlius
Zoning Board of Appeals
February 15, 2024
6:30 PM**

The Town of Manlius Zoning Board held a hybrid meeting with in-person attendees and virtual attendees. The meeting was live streamed on the Town YouTube Channel. The recording of the meeting can be viewed here: <https://www.youtube.com/watch?v=-MEsDK3Ja-g&t=65s>

Chairperson Karrie Catalino presided, and the following Board members present:

Member	Clare Miller
Member	Tim Kelly
Member	Warren Linhart
Secretary	Carrie Grevelding
Attorney	Jamie Sutphen
Code Officer	Tom Poitras

In Person Attendees: Richard Woodridge, East Syracuse. Aron Kolb, Syracuse. Mike Porter, Manlius. G. Joe Getman, Manlius

Virtual Attendees: Terry Pickard

The Pledge of Allegiance was recited. The meeting was called to order at 6:30 PM.

Approval of Minutes – December 21, 2023

Member Kelly made a motion, seconded by Member Linhart to approve the minutes of December 21, 2023, as submitted by Secretary Witzel.

Ayes: Chairperson Catalino, Member Linhart, Member Miller, Member Kelly.

Nayes: 0 All in Favor. Motion Carries.

Chairperson Catalino reviewed the application for 6785 Minoa Bridgeport Rd, East Syracuse.

Legal Notice

Member Kelly made a motion, seconded by Member Linhart, to waive the reading of the public notice and it was carried unanimously.

Member Linhart made a motion, seconded by Member Miller, to open the public hearing at 6:32 PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Linhart, Member Miller, Member Kelly.

Nayes: 0 All in Favor. Motion Carries.

Richard Woodridge – 6785 Minoa Bridgeport Rd, East Syracuse, NY 13057 (Tax Map# 046.-01-03.0

Mr. Woodridge stated that he wanted to place a shed in his front yard for storage of a boat and motorcycle. Mr. Woodridge would have liked to place the new shed on an already existing gravel pad. The shed will be pre-built by Salt City Sheds. A lengthy discussion was had with

concern for the proposed location of the shed. Member Kelly questioned the line of site for the shed. At this time Chairperson Catalino read an email that was received from neighbor Yvonne Wheeler with concerns that the request Mr. Woodridge was making would not be consistent with other properties in the area and the large variance that was being requested. Ms. Wheeler also expressed concerns that if the variance was approved that it would be setting a precedent on future decisions being made on the front yard setbacks. Mr. Woodridge advised that he was unable to put the shed in the backyard to no access, as well as flooding concerns. Mr. Woodridge stated that he was unable to put the shed back to normal setback due to the septic system and leach field. A discussion was had about placing the shed on the edge of the gravel pad which would give approximately 2 additional feet back. This discussion also included the potential of looking for where exactly the leach field was to determine if the shed location could be moved back further. Member Linhart inquired if Mr. Woodridge considered putting the shed on the left side of the residence where he would less of a variance. Mr. Woodridge stated that he would have to put a gravel access down the property to access the shed with his motorcycle, as well as having to knock down a tree. Mr. Woodridge offered to narrow the shed from 14ft to 12ft and move it back 2ft to lessen the variance request. Attorney Sutphen suggested moving to the criteria questions.

Member Linhart made a motion, seconded by Member Miller, to close the public hearing at 6:53 PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Linhart, Member Miller, Member Kelly.

Nayes: 0

All in Favor.

Motion Carries.

Board Questions

Chairperson Catalino proceeded with the board through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered yes, because of the potential of putting the shed in a different location on the property. Potential locations given by the board were in front of the garage or side of the residence.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered yes. There is no property in the neighborhood that has a shed in the front yard of that size.

After completing the first two criteria questions and Mr. Woodridge inquiring what a fair request would be, Attorney Sutphen suggested that the board consider tabling this application while Mr. Woodridge investigated another location on the property for the shed. It was suggested that the shed be placed on the left side of the residence. This suggestion brought up concern that there would be a potential of the shed needing to have fire rated material on the side facing the residence. Code Officer Poitras stated that per fire code, tool sheds would not need fire rated material. With a boat being stored in the shed this would be considered a garage which would need to be 5ft away from residence to not require to have fire rated material. With the shed 5ft from the residence the applicant would need a 13ft side yard variance. Another suggestion was to

they would be looking at. Mr. Getman restated that they were asking that the border be preserved.

Member Linhart made a motion, seconded by Member Kelly, to close the public hearing at 7:57 PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Linhart, Member Miller, Member Kelly.

Nayes: 0

All in Favor.

Motion Carries.

Board Questions

Chairperson Catalino proceeded with the board through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered no, not to build a basketball court.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no. Structure would not be that visible and the house is significantly higher.
- 3) Whether the requested Variance is substantial? The board answered no because it is in a wooded area.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered no because it is in a wooded area.
- 5) Whether the alleged difficulty was self-created? The board answered yes, they could decide not to build it.

Determination of ZBA Based on the Above Factors:

The ZBA, after taking into consideration the above five factors, finds that:

 X The benefit to the applicant **DOES** outweigh the Detriment to the Neighborhood or Community.

 The benefit to the applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore the variance requested is denied.

The ZBA further finds that a variance of **11'10" in height** is the minimum variance that should be granted to preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

The ZBA further **GRANTS** the variance as requested with the following conditions: None.

SEQRA Review

Chairperson Catalino determined the proposed project and action contemplated is comprised of a Type II Action pursuant to the New York State Environmental Quality Review Act, and as such no further review was required.

Board Action

Member Linhart a motion seconded by Member Kelly that the Zoning Board of Appeals grant a height variance of 11-foot 10-inches to Michael Porter for the property at 5015 Duguid Rd, Manlius, NY (Tax map # 104.-02-32.1). This variance is being granted for the construction of a 56-foot by 80-foot detached garage and it was carried unanimously.

Ayes: Chairperson Catalino, Member Miller, Member Linhart, Member Kelly.

Nayes: 0 All in Favor. Motion Carries.

Other Business

Chairperson Catalino discussed the new guidelines for ZBA Members and applicants once the application is received.

Member Kelly made a motion seconded by Member Miller, to approve the new guidelines for ZBA Members and applicants once application is received at 8:13 PM and it was carried unanimously.

Chairperson Catalino reminded members to make sure they were checking their emails.

Chairperson Catalino advised the members that packets will only be printed out upon the Member's request and will have to be picked up in the office. Member Linhart stated he would like to continue to receive paper copies of the files.

2024 Organizational Meeting

A motion was made by Member Kelly, seconded by Member Miller, to approve Carrie Grevelding as the Zoning Board Secretary at 8:15PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Miller, Member Linhart, Member Kelly.

Nayes: 0 All in Favor. Motion Carries.

A Motion was made by Member Miller, seconded by Member Kelly to approve the 2024 Zoning Board meeting schedule, which states that the Board will meet on the third Thursday of the month at 6:30 PM and the Application filing deadline schedule as presented at 8:15PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Miller, Member Linhart, Member Kelly.

Naves: 0 All in Favor. Motion Carries.

Adjournment

With there being no other business, Chairperson Catalino made a motion, seconded by Member Kelly, and carried unanimously, to end the meeting at 8:15 PM

Respectfully submitted,
Carrie Grevelding
Zoning Board of Appeals